



ORDINANCE NO. 1684

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR THE OPERATION OF VIDEO GAMES IN A PLANNED DEVELOPMENT THREE (PD-3) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of a Specific Use Permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said changes in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit for the operation of video games in Planned Development Three (PD-3) zoning district.

SECTION 2. That the video game operation shall be located generally at 13920 Josey Lane as described in Exhibit "A", and more specifically in Suite #110 as shown on Exhibit "B".

SECTION 3. That the number and placement of video games shall strictly conform to the floor plan attached as Exhibit "C".

SECTION 4. That the operator of the store shall post "Rules of Conduct" at the location of the games. Included in these "Rules" shall be a statement that the games may only be played between the hours of 6:00 a.m. and 11:00 p.m.

SECTION 5. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a Specific Use Permit for a video game operation.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

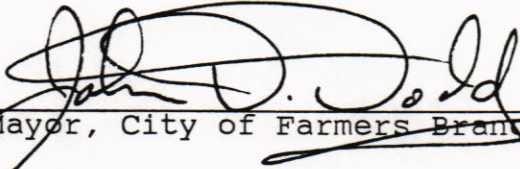
SECTION 7. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 8. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this Ordinance.

SECTION 9. The fact that it appears the above described property requires the Specific Use Permit be granted in order to permit the use and development of the property as requested, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, creates an urgency and an emergency in the preservation of the public health, safety and welfare, which requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS
BRANCH, TEXAS, this the 9th day of March 1987.

APPROVED:


Mayor, City of Farmers Branch, Texas

APPROVED AS TO FORM:

ATTEST:


City Attorney



City Secretary

Exhibit "A"

Legal Description Josey Lane

BEING, a tract of land situated in the Robert J. West Survey, Abstract No. 1576, City of Farmers Branch, Dallas County, Texas, and being more particularly described as follows:

BEGINNING, at an iron rod found for corner in the Northeast line of Josey Lane (a 100 foot R.O.W.) said rod being North 50 deg. West, a distance of 597.0 feet from the intersection of the Northeast line of said Josey Lane and the Northwest line of Dennis Lane (a 80 foot R.O.W.);

THENCE, North 50 deg. 00 min. West, along the Northeast line of said Josey Lane, a distance of 3.0 feet, an iron rod for corner;

THENCE, Northwesterly along a curve to the right having a central angle of 34 deg. 03 min. 57 sec., a radius of 700.58 feet, same being along the Northeast line of said Josey Lane, an arc distance of 416.54 feet, an iron rod for corner;

THENCE, North 80 deg. 43 min. 57 sec. East, along the Southerly line of Valwood Two Addition, an Addition to the City of Farmers Branch, Dallas County, Texas, according to the Map filed 8/15/74 in the Map Records of Dallas County, Texas, a distance of 112.89 feet, an iron rod for corner;

THENCE, North 72 deg. 47 min. 27 sec. East, continuing along the Southerly line of said Valwood Two Addition, a distance of 88.0 feet, an iron rod for corner;

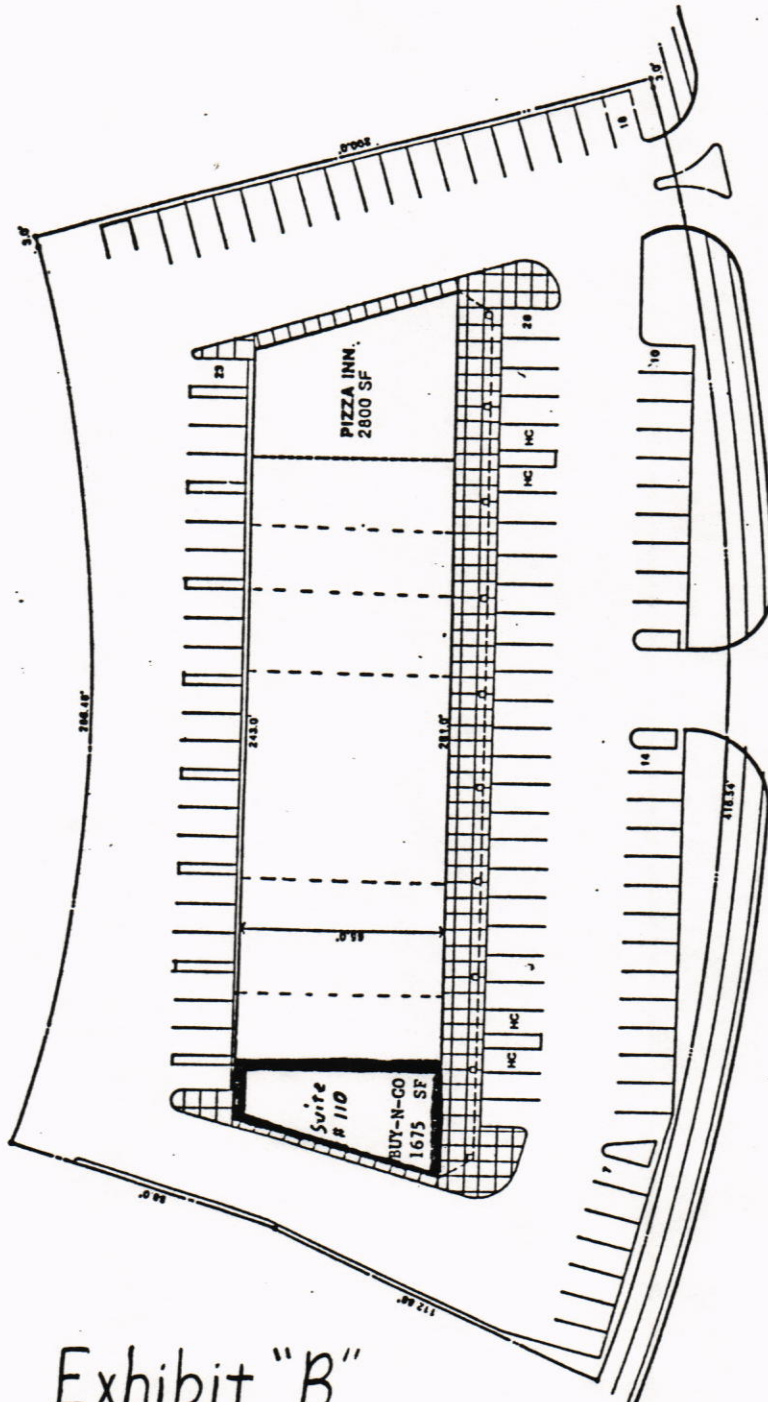
THENCE, Southeasterly along a curve to the left having a radius of 500.58 feet, a central angle of 32 deg. 47 min. 24 sec., and a tangent bearing South 17 deg. 12 min. 36 sec. East, said curve line being parallel to and 200.0 feet from said Northeast line of Josey Lane, an arc distance of 286.48 feet, an iron rod for corner;

THENCE, South 50 deg. 00 min. East, to the most Northerly corner of a tract of land conveyed to Leonard J. Ledet Jr., by Deed recorded in Volume 80228 at Page 3373 of the Deed Records of Dallas County, Texas, a distance of 3.0 feet, an iron rod for corner;

THENCE, South 40 deg. 00 min. West, along the Northwest line of said Ledet tract, a distance of 200.00 feet to the Place of Beginning and containing 70,207 square feet or 1.6117 acres of land, more or less.

Exhibit "A"

Exhibit "B"



JOSEY LANE

JOSEY LANE RETAIL CENTER
FARMERS BRANCH, TEXAS



LOCATION MAP

PROJECT DATA

LAND AREA

70207 SF

BUILDING AREA

PIZZA INN (RESTAURANT USE) 2,000 SE

2,800 SF

RETAIL

135 01
135 01

PARENT UTILIZATION

PIZZA INN (85 SEATS in 1 SPACE/3 SEATS) 20

SEATS) 28 71

REQUIRED PARKING

66

100

1

5/11/84

5/11/84
REV. 03/04/85

HOPKINS ♦ SHAFER

3701 W. Northwest Hwy., Suite 169-A ♦ Dallas, Texas 75220 ♦ (214) 956-7881/metro 263-1675

Exhibit "C"

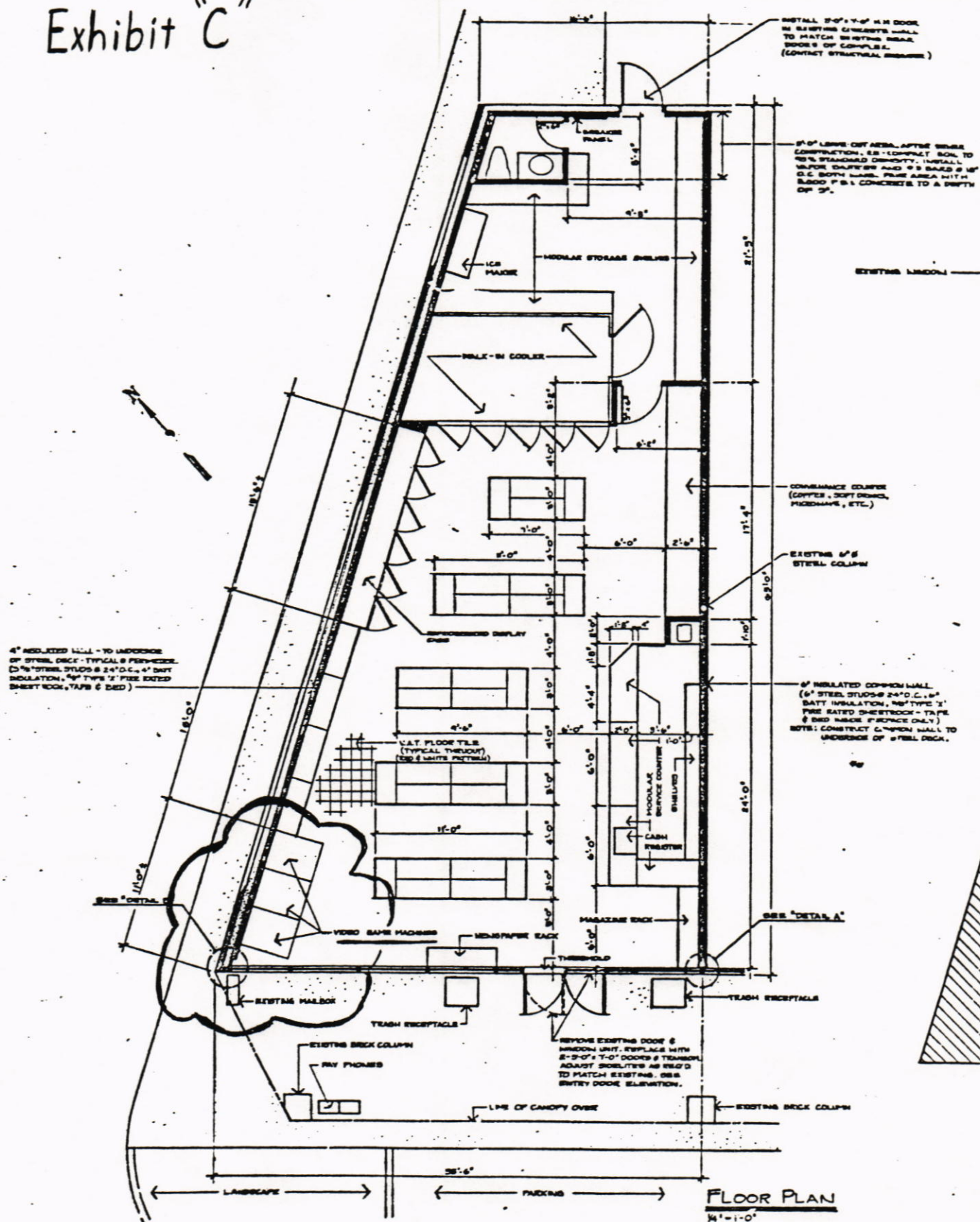


Exhibit "C"